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REMARKS

Claims 1-7, and 23-31 are currently pending in the subject application and are presently under consideration. A version of the claims is found on pages 2-7. Claims 8-22 have been cancelled. New claims 23 – 31 have been added to further emphasize novel aspects of the invention in accordance with the elected set of claims currently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-7 Under 35 U.S.C. §102(b)

Claims 1-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hanners (6,128,188). Applicant's representative respectfully requests that this rejection be withdrawn for at least the following reasons. Hanners fails to disclose all limitations of the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The invention as claimed provides for regulating heat dissipation of an integrated circuit by employing a heat regulation device with a thermal structure network assembly. Each thermal structure can act as a heat conducting pathway for inducing heat into and/or dissipating heat away from the integrated circuit, thus creating a more uniform temperature gradient across the semiconductor body. To this end independent claim 1 describes *a heat regulating device for regulating a heat flow into and out of an integrated circuit semiconductor body comprising: a thermo-electrical structure that induces heat to and/or dissipates generated heat away from a region of a semiconductor body.* Hanners fails to suggest or teach these novel features of the claimed invention. Hanners

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discloses a self-balancing temperature control device for an IC that includes a heat sink attached to the IC having thermomorphing fins or vanes. When the IC increases its heat output the fins or vanes warm up and change their shape in a manner that increases the rate at which heat is removed from the IC.

At Page 2 of the Office Action the Examiner erroneously contends that a thermo-electrical structure capable of inducing heat to and/or dissipating the generated heat away from the region of a semiconductor body is disclosed by Hanners. At the indicated portion (column 3 lines 48 – 50) the cited reference discloses a thermal control device that is attached to an integrated circuit device (IC) which *operates as a heat sink to remove heat* from IC. The thermal control device of Hanners as disclosed in its various aspects is thus only capable of controlling the rate of cooling of the IC. Nowhere does Hanners reveal that the claimed feature of the invention where in the thermal structure is capable of *inducing heat into and/or dissipating heat away from* a region of a semiconductor body as in applicants' claimed invention. Hence the identical invention in as complete detail as is contained in the subject claims is not disclosed by the cited reference. Accordingly, this rejection with respect to independent claims 1 and 7 and the claims that depend there from should be withdrawn.

II. New Claims 23-31

Newly added claims 23-31 emphasize novel aspects of the invention discussed supra in connection with claims 1-7. Accordingly, these claims are patentably distinct over the art of record for at least the same reasons as are claims 1-7.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [AMDP812US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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